



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

APR 16 2014

CERTIFIED MAIL 7012 1010 0002 0759 7080  
RETURN RECEIPT REQUESTED

Mr. J.R. Steigerwald  
Town Administrator  
Town of St. Pauls  
P.O. Box 157  
St. Pauls, North Carolina 28384

Re: Notice of Violation No.: 309-2014-08  
Information Request pursuant to Section 308 of the Clean Water Act  
National Pollutant Discharge Elimination System Permit No.: NC0020095  
Town of St. Pauls Waste Water Treatment Plant

Dear Mr. Steigerwald:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the Town of St. Pauls (Town) that it has violated its National Pollutant Discharge Elimination System Permit No. NC0020095 (Permit). Specifically, the Town has violated effluent requirements for the parameters and months summarized below:

Parameter Description	Violation	Limit Value	DMR Value	Units	Outfall	Reporting Period
Mercury, total [as Hg]	30DA AVG	12.00	33.7	ng/L	001	08/31/2012
Mercury, total [as Hg]	DAILY MX	12.00	33.7	ng/L	001	08/31/2012
Mercury, total [as Hg]	30DA AVG	12.00	19.9	ng/L	001	09/30/2012
Mercury, total [as Hg]	DAILY MX	12.00	19.9	ng/L	001	09/30/2012
Mercury, total [as Hg]	30DA AVG	12.00	28.1	ng/L	001	10/31/2012
Mercury, total [as Hg]	DAILY MX	12.00	28.1	ng/L	001	10/31/2012
Mercury, total [as Hg]	30DA AVG	12.00	28.1	ng/L	001	02/28/2013
Mercury, total [as Hg]	DAILY MX	12.00	28.1	ng/L	001	02/28/2013
Mercury, total [as Hg]	30DA AVG	12.00	30.9	ng/L	001	03/31/2013
Mercury, total [as Hg]	DAILY MX	12.00	30.9	ng/L	001	03/31/2013
Nitrogen, ammonia total [as N]	7 DA AVG	3.90	5.4	mg/L	001	04/30/2013
Mercury, total [as Hg]	30DA AVG	12.00	17.4	ng/L	001	04/30/2013
Mercury, total [as Hg]	DAILY MX	12.00	17.4	ng/L	001	04/30/2013
BOD, 5-day, 20 deg. C	7 DA AVG	18.00	18.8	mg/L	001	05/31/2013
Nitrogen, ammonia total [as N]	7 DA AVG	3.90	5.	mg/L	001	05/31/2013
Nitrogen, ammonia total [as N]	30DA AVG	1.30	1.75	mg/L	001	05/31/2013

Parameter Description	Violation	Limit Value	DMR Value	Units	Outfall	Reporting Period
Mercury, total [as Hg]	30DA AVG	12.00	16.2	ng/L	001	05/31/2013
Mercury, total [as Hg]	DAILY MX	12.00	16.2	ng/L	001	05/31/2013
Nitrogen, ammonia total [as N]	7 DA AVG	3.90	18.6	mg/L	001	06/30/2013
Mercury, total [as Hg]	30DA AVG	12.00	26.6	ng/L	001	08/31/2013
Mercury, total [as Hg]	DAILY MX	12.00	14.4	ng/L	001	11/30/2013
Temperature, water deg. centigrade	Incomplete DMR	DAILY MX			001	12/31/2013
Conductivity	Incomplete DMR	DAILY MX			001	12/31/2013
Oxygen, dissolved [DO]	Incomplete DMR	DAILY MN			001	12/31/2013
BOD, 5-day, 20 deg. C	Incomplete DMR	7 DA AVG			001	12/31/2013
BOD, 5-day, 20 deg. C	Incomplete DMR	30DA AVG			001	12/31/2013
pH	Incomplete DMR	DAILY MN			001	12/31/2013
pH	Incomplete DMR	DAILY MX			001	12/31/2013
Solids, total suspended	Incomplete DMR	7 DA AVG			001	12/31/2013
Solids, total suspended	Incomplete DMR	30DA AVG			001	12/31/2013
Nitrogen, ammonia total [as N]	Incomplete DMR	7 DA AVG			001	12/31/2013
Nitrogen, ammonia total [as N]	Incomplete DMR	30DA AVG			001	12/31/2013
Coliform, fecal MF, MFC broth, 44.5 C	Incomplete DMR	WK GEOMN			001	12/31/2013
Coliform, fecal MF, MFC broth, 44.5 C	Incomplete DMR	MO GEOMN			001	12/31/2013
Mercury, total [as Hg]	Incomplete DMR	30DA AVG			001	12/31/2013
Mercury, total [as Hg]	Incomplete DMR	DAILY MX			001	12/31/2013

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that the Town provide a written explanation of the reasons for each of the aforementioned violations, any other effluent violations that may have occurred from January 1, 2014, to the present, and a summary of actions taken or planned to be taken by the Town to correct the problems and to prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

All information submitted must be accompanied by the following certification signed by a responsible official:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

If you believe that any of the requested information, except for effluent data, constitutes confidential business information, you may assert a confidentiality claim with respect to such information. Further details, including how to make a business confidentiality claim, are found in Enclosure A.

The Town must submit this information within thirty (30) days of receipt of this correspondence. The submittal must be addressed to:

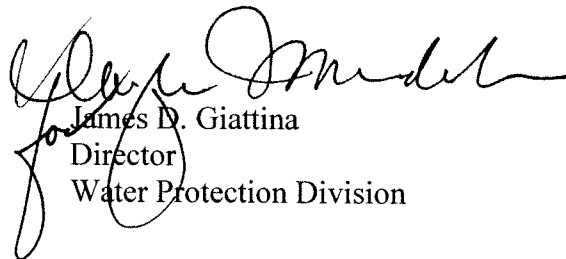
Mr. Namon Mathews  
U.S. Environmental Protection Agency, Region 4  
Clean Water Enforcement Branch  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

The State of North Carolina (State) is being concurrently notified of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner, and/or the Town fails to respond to the information request, the EPA may take enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. §1319, including the issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action. In addition, there is potential criminal liability for the falsification of any response to the requested information.

If you have questions regarding this notice and information request, please contact Mr. Namon Mathews at (404) 562-9777 or via e-mail at [mathews.namon@epa.gov](mailto:mathews.namon@epa.gov).

Sincerely,



James D. Giattina  
Director  
Water Protection Division

Enclosures

cc: Mr. Tom Reeder  
North Carolina Department of Environment and Natural Resources

## ENCLOSURE A

### RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims are found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



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CERTIFIED MAIL 7012 1010 0002 0759 7097  
RETURN RECEIPT REQUESTED

Mr. Tom Reeder  
Water Resources Division Director  
North Carolina Department of Environment  
and Natural Resources  
1611 Mail Service Center  
Raleigh, North Carolina 27699-1611

Re: Notice of Violation No.: 309-2014-08  
National Pollutant Discharge Elimination System Permit No.: NC0020095  
Town of St. Pauls Waste Water Treatment Plant

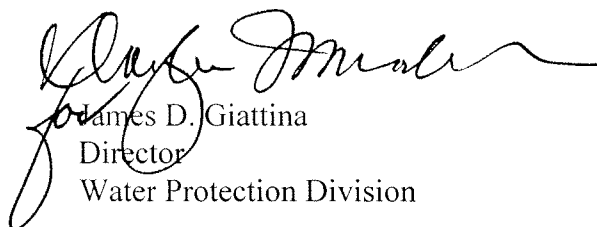
Dear Mr. Reeder:

Pursuant to Section 309(a)(1) of the Clean Water Act, 33 U.S.C. § 1319(a)(1), the U. S. Environmental Protection Agency Region 4 has determined that the Town of St. Pauls (Town) is in violation of its National Pollutant Discharge Elimination System Permit No.: NC0020095 (Permit) for the Town of St. Pauls Waste Water Treatment Plant and has violated, at a minimum, effluent requirements for the parameters summarized here: Mercury, Ammonia Nitrogen, 5-day BOD, Dissolved Oxygen, pH, Total Suspended Solids and Coliform. The EPA is simultaneously notifying the Town of these findings through the issuance of a Notice of Violation (NOV). A copy of the NOV to the Town is enclosed for your convenience and record.

If the State of North Carolina (State) commences appropriate action within 30 days of receipt of this letter to ensure that the Town achieves expeditious compliance with its Permit, additional involvement by the EPA may not be required. However, if the State does not take such action, the EPA may then take the necessary steps to require the Town to come into compliance. Please advise the EPA within 15 days of receipt of this letter of the action(s) you plan to take in this matter to ensure that the Town achieves expeditious compliance with its Permit requirements. If a formal enforcement action is taken, please provide a copy of the applicable documents for our records.

If you have questions regarding this NOV, please contact Mr. Maurice Horsey, of my staff, at (404) 562-9764 or via e-mail at [Horsey.Maurice@epa.gov](mailto:Horsey.Maurice@epa.gov).

Sincerely,



James D. Giattina  
Director  
Water Protection Division

Enclosure